



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) Confirmation No. 2123  
)  
Kirk Emil Apt et al. ) Group Art Unit: 1636  
)  
Application Number: 09/839,536 ) Examiner: Laura M. Mitchell  
)  
Filed: April 23, 2001 )  
)  
For: TROPIC CONVERSION OF OBLIGATE PHOTOTROPIC  
ALGAE THROUGH METABOLIC ENGINEERING

RECEIVED

DEC 19 2007

TECH CENTER 1800/2900

Box Reconstruction  
United States Patent and Trademark Office  
Washington, DC 20231

**PETITION FOR EXTENSION OF TIME,  
RESPONSE TO NOTICE UNDER 37 C.F.R. § 1.251  
AND SUBMISSION OF COPY OF APPLICANTS' RECORD**

Sir:

The following submission is provided in response to the Notice Under 37 C.F.R. § 1.251 mailed from the United States Patent and Trademark Office on September 4, 2007 (hereinafter the "Notice"), in the above-captioned application. Applicants respectfully petition for a one month extension of time, thereby extending the period within which to reply up to and including January 4, 2008.

**PETITION FOR EXTENSION OF TIME**

Applicants respectfully petition the Director of the United States Patent and Trademark Office (hereinafter the "Office") for a one (1) month extension of time, thereby extending the period within which to file a response up to and including January 4, 2008. The petition fee for a one (1) month extension of time pursuant to 37 C.F.R. § 1.17(a)(1) is included herewith. Accordingly, this submission is responsive within the paid-for extension of time.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through xx/xx/xxxx. OMB 0651-0031  
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

**In re Application of:** \_\_\_\_\_

**Application No.:** \_\_\_\_\_

**Filing Date:** \_\_\_\_\_

**Title:** \_\_\_\_\_  
\_\_\_\_\_

Direct to:

Box Reconstruction  
United States Patent and Trademark Office  
Washington, DC 20231

### NOTICE UNDER 37 CFR 1.251 - Pending Application

**Statement (check the appropriate box):**

☐ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or printed name

**A copy of this notice should be returned with the reply.**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

A check in the amount of \$120.00 is included herewith to cover the one (1) month extension of time fee. It is believed that no other fees are required for entry of this submission, but should any fees be necessary, the Director is authorized to charge such fees to Deposit Account No. **50-0206**.

**RESPONSE TO NOTICE UNDER 37 C.F.R. § 1.251**  
**AND SUBMISSION OF COPY OF APPLICANTS' RECORD**

In response to the Notice, Applicants provide herewith a copy of Applicants' record of all of the correspondence between the Office and Applicant for the above-identified application (except for U.S. patent documents), and a listing of such correspondence (attached herewith as the Appendix).

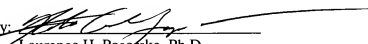
Based on information and belief, the undersigned hereby states that the enclosed copy is a complete and accurate copy of Applicants' record of all of the correspondence between the Office and the Applicant for the above-identified application (except for U.S. patent documents), and furthermore that Applicant is not aware of any correspondence between the Office and Applicant for the above-identified application that is not among Applicants' records.

Applicants also provide copies of each art reference submitted in the Information Disclosure Statement submissions included in Applicants' records. Furthermore, Applicants include herewith a CD-ROM containing a copy of the "Sequence Listing" believed to have been submitted previously in the above-identified application.

Respectfully submitted,

HUNTON & WILLIAMS

Dated: December 13, 2007

By:   
Laurence H. Posorske, Ph.D.  
Registration No. 34,698

Robert C. Lampe III  
Registration No. 51,914

HUNTON & WILLIAMS LLP  
1900 K Street, N.W., Suite 800

The PTO did not receive the following  
listed item(s) check for \$120.00  
but check for \$60.00

Washington, DC 20006-1109

Tel: (202) 955-1500

Fax: (202) 778-2201

## **Appendix**



LIST OF CORRESPONDENCE FOR U.S. PATENT APPLICATION NO. 09/839,536

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<u>Description</u>	<u>Date</u>
1.) USPTO Notice Under 37 CFR 1.251	9/4/2007
2.) USPTO Status Update	8/8/2006
3.) Applicant Change of Attorney Docket Number and Status Inquiry	5/11/2005
4.) Applicant Submission of Sequence Listing and Supplemental IDS with 3 References	5/29/2002
5.) USPTO Notice to Comply with Sequence Listing Requirements	5/9/2002
6.) USPTO Withdrawal of Previously Sent Notice	1/14/2002
7.) USPTO Notice to Comply with Sequence Listing Requirements	1/14/2002
8.) Applicant Petition for Extension of Time and Submission of Sequence Listing	4/12/2002
9.) USPTO Notice of Recordation of Assignment	10/22/2001
10.) USPTO Updated Filing Receipt	9/26/2001
11.) Applicant Assignment Recordation Submission	8/16/2001
12.) Applicant Submission of Response to Missing Parts of Nonprovisional Application with Executed Declaration and Verified Statement of Small Entity Status	8/15/2001
13.) Applicant Submission of Formal Drawings (Figs. 1-7B) and IDS with 42 References	7/31/2001
14.) USPTO Notice to File Missing Parts of Nonprovisional Application	6/15/2001
15.) USPTO Filing Receipt	6/15/2001
16.) Applicant Utility Patent Application Transmittal with Specification (54 pages, 3 Sheets of Claims and an Abstract), 6 Sheets of Drawings and Unexecuted Declaration	4/23/2001